

AUGUST 5, 2021

**LAKE COUNTY COMMISSIONERS' MEETING MINUTES**

JOHN R HAMERCHECK, COMMISSIONER	JASON W. BOYD, ADMINISTRATOR
JOHN PLECNIK, COMMISSIONER	LEGAL COUNSEL
RON YOUNG, COMMISSIONER	MIKE MATAS, BUDGET DIRECTOR
JENNIFER BELL, CLERK	NEWS MEDIA

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(Tape 2021-0805)

CALL TO ORDER: Commissioner Hamercheck called the Meeting to order at 2:03 p.m., Thursday, August 5, 2021.

ROLL CALL: Upon roll being called, Commissioners Young, Plecnik and Hamercheck were present.

OPEN TO THE PUBLIC:

Commissioner Hamercheck introduced John Adams, Administrator for the Bureau of Adult Detention for the Ohio Department of Rehabilitation and Corrections, who was returning to help define a few things that were brought up in a previous meeting. In the hierarchy for the BAD, they currently have (9) jail inspectors who report to either of (2) supervisors and those supervisors report to Mr. Adams. He was reticent to delve too deeply into jail reports for individual facilities because they are specifically individualized to each jail but he was happy to answer any general questions the Board might have. Mr. Adams explained that an inspection is typically a one day or in some cases, a few days, snapshot as witnessed by the inspectors when they are present on-site. Paul Stefanko, Director of Telecommunications, and Mark Iafelice, Director of Buildings and Grounds, were also present to join in to the conversation as needed. Mark explained that when something breaks, a system fails, etc., a work order is generated and sent to B&G (or Telecom) and they act on it as soon as it is received. Most things can be remedied during normal business hours but if it is after-hours or something of a more involved nature, a contractor may be required. Paul commented that the jail requires more maintenance than all other county buildings combined. 95% of the time, a problem is rectified before the staff goes home. Commissioner Hamercheck noted that, at no time, do they leave anything unattended that would affect the health and safety of an inmate. Commissioner Young asked about the importance of a jail inspector. Mr. Adams replied that inspectors provide an overall assessment of a jail's operations and an evaluation of the quality of life for an inmate. To qualify, this does not deal with structural issues; just the operational quality of the jail. Commissioner Young said it appears that the Lake County Jail meets all the operational standards as best as he can tell from the report. Mr. Adams confirmed that the jail has performed well for the last few years in regards to these standards. He reiterated that his expertise is with Operations, not structural assessments. Commissioner Hamercheck clarified Mr. Adams scope of work includes policies and procedures and education of staff, not plumbing, electrical, building maintenance, etc. Mr. Adams agreed. Commissioner Plecnik asked exactly what are the standards. Mr. Adams replied that they are the Minimum Standards for Jails in Ohio. This comes from 5120.10 of the Ohio Revised Code. Each jail classification has their own standards listed there. Lake County is considered a Full-Service Jail. Commissioner Plecnik wanted to verify they do not make recommendations when or if a new jail should be built or if a current facility is adequate. Mr. Adams said that was correct, they do not. That is up to the county's purview. Commissioner Plecnik asked where it is written that we, as a county, must have a jail. Mr. Adams believes that information can be found in Section 341 of the ORC (Ohio Revised Coded) although this is a little bit out of his area of expertise. Commissioner Plecnik asked who sets and adopts the ORC. Mr. Adams replied that it is the General Assembly and then the Governor has to sign it into law. Commissioner Plecnik stated that the recommendation from the Sheriff's Office is to build a new jail and we only have 3 options; one is to put quite a bit of money into the old jail and possibly add multiple facilities, two is to build a new jail, or three is to leave the jail as it is. We need to be proactive and use common sense. Inmates deserve to be treated humanely and the jail staff must be protected from harm. Commissioner Young stated that, while he believes something needs to be done, he does not support a tax increase in order to pay for a new jail. The jail currently meets all safety standards/guidelines. Commissioner Plecnik agreed and said that their job as Commissioners is to squeeze the budget line by line if they must. Commissioner Hamercheck wanted to reiterate that passing these inspections should not be construed as an endorsement of the facility itself. Mr. Adams agreed. Commissioner Hamercheck wanted to remind everyone that they have a Jail Analysis from 2019 from an architect for rehab, expansion, renovation, etc. Commissioner Young indicated that he is reticent to accept recommendations from K2M in fear that they might be compromised as they would probably bid on the project. Commissioner Hamercheck referenced an incident where the plumbing was blocked and asked Mr. Iafelice about inmates needing to be cleared from the area while the repair took place. Mr. Iafelice agreed that the inmates cannot be present while something is being worked on. It can sometimes take hours or even days depending on the issue at hand. If we were to build a new jail for example, a case like this would not arise because the new plumbing would be equipped with grinders to prohibit blockages of this nature. Commissioner Hamercheck indicated that, if we were to do a rehab as opposed to a new build, the inmates would require being moved for an extended period of time which could be logistically impossible. Commissioner Hamercheck asked for Mr. Iafelice and Mr. Stefanko's recommendations regarding the need for a new jail as they are deemed Subject Matter Experts. They both agreed that a new jail is warranted. Mr. Iafelice believes that their maintenance and attention to detail is what has masked some of the issues the jail has.

Commissioner Hamercheck asked if anyone in the audience wished to address the Board.

David Black of 34975 Aspenwood Lane of Willoughby would like a resolution from the Board to apply to the General Assembly for a redress of grievances in order to nullify a vaccine law which he believes is unconstitutional. The Clerk is in receipt of a copy of his petition. Commissioner Hamercheck asked if he had any examples of other states who have done this. Mr. Black does not. The Board would like to review the petition before reaching any decision.

David Lima of 7774 Litchfield Drive in Mentor said he does not believe anyone is proposing that nothing should be done about the jail just that the real question is, do we renovate or rebuild. He would like to review K2M's estimate from 2019 and will make a public records request for that information. He recommends obtaining some other estimates in regards to renovation.

Brian Massie of Lobbyists for Citizens is interested in possible revenue streams for a new jail or renovation. He has made some Public Records Requests and submitted the following (10) exhibits to the Board to include Exhibit A (a statement of the Lake County Fund Balances as of April 2021), Exhibit B (email communication between himself and the Budget Director), Exhibit C (a letter that was sent to the Lake County Budget Commission regarding some funds to Deepwood), Exhibit D (a reply from the County Treasurer in regards to some unclaimed monies), Exhibit E (a reply from the County Auditor regarding Unclaimed Funds), Exhibit F (a copy of Chapter 22 from the CCAO Handbook regarding county budgets and fiscal control), Exhibit H (a copy of Section 5705.341 of the Ohio Revised Code regarding Right of Appeal), Exhibit I (a copy of Letter to the Editor of the News-Herald from Lobbyists for Citizens), and Exhibit J (a copy of a letter to the Board of Elections regarding Ohio Open Records Law Request). The Board indicated they have no power over the Budget Commission so any questions should be directed to that Commission. Commissioner Young recommended that Brian talk to the County Auditor as well. Mr. David Hackman of the Prosecutors Office detailed some information regarding the Budget Commission and cited several statutes that apply to levies, etc. Brian said some people have reached out to him with concerns about possible voting fraud in Ohio and possibly even Lake County. He wanted to let the Board know that he has been working with the Director of the Board of Elections to get any and all records he has requested and Ross McDonald has been nothing but forthcoming.

#### RESOLUTIONS:

**1. RESOLUTION AUTHORIZING FINAL APPROVAL AND ACCEPTANCE OF A THREE-YEAR MAINTENANCE SURETY FOR FAIRWAY PINES PHASE 3A SUBDIVISION IN PAINESVILLE TOWNSHIP (20210805\E01)(SD-**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**2. RESOLUTION INCREASING AN APPROPRIATION IN LAKE COUNTY DEPARTMENT OF UTILITIES SOLID WASTE RECYCLING FUND (20210805\U01)(UT-2)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**3. RESOLUTION INCREASING AN APPROPRIATION IN LAKE COUNTY DEPARTMENT OF UTILITIES SEWER OPERATING FUND (20210805\U02)(UT-2)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young and Hamercheck "NAYS": None.

**4. RESOLUTION INCREASING APPROPRIATIONS IN PROJECT FUND 554-RED CREEK SEWERAGE IMPROVEMENTS 280-S FOR THE LAKE COUNTY DEPARTMENT OF UTILITIES (20210805\U03)(UT-2)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**5. RESOLUTION RE-APPOINTING KENNETH R. KEENER AS A MEMBER OF THE BOARD OF TRUSTEES OF THE LAKE COUNTY LIBRARY DISTRICT, FOR A SEVEN YEAR TERM EXPIRING JULY 6, 2028 (20210805\C01)(B-52)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**6. RESOLUTION ACCEPTING A GRANT AND AUTHORIZING EXECUTION OF A 2020 DEPARTMENT OF JUSTICE GRANT (SUB-GRANT #2020-AR-BX-0041) IN THE AMOUNT OF \$146,557.88, BETWEEN THE LAKE COUNTY BOARD OF COMMISSIONERS ON BEHALF OF THE LAKE COUNTY SHERIFF'S OFFICE, EFFECTIVE THROUGH MARCH 31, 2021 (20210805\C02)(CT-10A)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik. Chief Deputy Sherwood indicated that this is a grant for reimbursement of housing and medical funds for inmates that were housed at the jail during COVID. The foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**7. RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$1,126,167.54 (20210805\BC01)(C-4)**

On a motion by Commissioner Plecnik, seconded by Commissioner Young, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

**8. RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$320,353.42 (20210805\BC02)(C-17)**

On a motion by Commissioner Young, seconded by Commissioner Plecnik, the foregoing resolution was adopted with the vote follows "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None.

#### DEPARTMENTAL REPORTS:

UTILITIES – Randy Rothlisberger announced that there will be a Special Collections Recycling Event on Saturday August 14<sup>th</sup> for Electronics and Televisions at the fairgrounds from 8-2.

JOB AND FAMILY SERVICES – none.

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COUNTY ADMINISTRATOR – Jason Boyd introduced Cory Vojack from Workforce Development who announced OhioMeansJobs will be conducting an in-person job fair on August 11<sup>th</sup> from 12-3 at the Mentor Ice Arena. Over 25 employers will be involved and it is centrally located within the county with ample parking. This will also be a hybrid event where, on August 12<sup>th</sup>, as many as 32 employers can connect via virtual software. Jason was at an event with (9) other County Administrators for a brainstorming session in regards to ARP where everyone is hesitant to spend anything until they receive final guidance. They are not sure, at this time, when the final rules will be published. They asked CCAO if they would issue a RFP, on behalf of the counties as their representative, to find a legal professional for what would essentially be an ARP Hotline that they could call with questions.

FINANCE – none.

CLERK –Commissioners Clerk, Ms. Jennifer Bell, stated that the next Commissioner’s Meeting will be held on Thursday, August 12, 2021 at 10:00 a.m.

LEGAL – none.

OLD BUSINESS: none.

NEW BUSINESS: Commissioner Plecnik wanted to extend a brief congratulations to all the volunteers and workers for the Lake County Fair. A more formal recognition will be forthcoming.

PUBLIC COMMENT: Commissioner Hamercheck asked if anyone in the audience wished to address the Board. No one present wished to address the Board at this time.

EXECUTIVE SESSION: On a motion by Commissioner Young, seconded by Commissioner Plecnik, the Board convened an Executive Session at 4: 58 p.m. to discuss Legal-Pending Litigation and Personnel-Discipline with the vote as follows: "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None  
The Lake County Board of Commissioners adjourned to Executive Session at 4:59 p.m.

ADJOURN: On a motion by Commissioner Young, seconded by Commissioner Plecnik, the Board adjourned the meeting at 5:30 p.m. with the vote as follows: "AYES": Commissioners: Young, Plecnik and Hamercheck "NAYS": None

Minutes approved this second day of September, 2021.

**BOARD OF LAKE COUNTY COMMISSIONERS**

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JOHN R. HAMERCHECK, PRESIDENT

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RON YOUNG, COMMISSIONER

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JOHN PLECNIK, COMMISSIONER

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JENNIFER BELL, CLERK